



DNREC – Surface Water Discharges

LEGAL NOTICE

Draft NPDES CAFO General Permit Large, Medium, Designated Non-Poultry & Diversified CAFOs -Manure Generation and Land Application Facilities

The Delaware Department of Natural Resources and Environmental Control (DNREC) and Department of Agriculture (DDA) are providing public notice for the Draft National Pollutant Discharge Elimination System (NPDES) General Permit for Large, Medium, Designated Non-Poultry & Diversified Concentrated Animal Feeding Operations (CAFOs) - Manure Generation and Land Application Facilities. This is a complementary permit to two General Permits already issued which covers Large, Medium, & Designated Poultry CAFOs – without Land Application of Manure and Large, Medium, & Designated Poultry CAFOs – with Land Application of Manure.

A CAFO permit is a point source permit authorized by the Federal Clean Water Act that is required by Federal and State regulations for CAFOs that discharge pollutants into waters of the state, including streams or drainage ditches. In the State of Delaware, DNREC and DDA cooperate in implementing the CAFO program. The purpose of the CAFO permit is to regulate activities at CAFOs involving the management of nutrients and to help improve and maintain the quality of waters of the state.

Once a CAFO General Permit is issued, in order for a permittee to obtain coverage under the permit, the permittee must demonstrate that they meet applicable requirements in Section 9.5 of DNREC's Regulations Governing the Control of Water Pollution by submitting a completed Notice of Intent and Nutrient Management Plan for DNREC and DDA review. Notice of Intent and Nutrient Management Plans are themselves publicly noticed prior to authorization being issued. This CAFO permit would be applicable to operations which have one or a combination of the following animal types and number of animals:

Animal Type	Number of Animals: Medium CAFO	Large CAFO
Laying hens or broilers, with a liquid manure handling system	9,000 to 29,999	>30,000
Chickens except laying hens, without a liquid manure handling system	37,000 to 124,999	>125,000
Laying hens, without a liquid manure handling system	25,000 to 81,999	>82,000
Cattle other than mature dairy cows or veal calves.	300 to 999	>1,000
Mature dairy cattle, whether milked or dry cows	200 to 699	>700
Swine, each weighing over 55 pounds	750 to 2,499	>2,500
Horses	150 to 499	>500
Sheep or lambs	3,000 to 9,999	>10,000
Turkeys	16,500 to 54,999	>55,000

On the basis of lawful standards and regulations, DNREC proposes to issue the draft CAFO General Permit, subject to certain effluent limitations and conditions under Section 9.5 of DNREC's Regulations Governing the Control of Water Pollution.

A public hearing on the above application will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received by **4:30 p.m. May 11, 2021**. A public hearing request shall be deemed meritorious if it exhibits a familiarity with the application and provides a reasoned statement of the action's probable impact.

Copies of the Fact Sheet and Draft Permit are available at
<https://dnrec.alpha.delaware.gov/water/surface-water/npdes/animal-feeding/>

Or by contacting:

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Surface Water Discharges Section
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PUBLICATION INSTRUCTIONS:

PLEASE PUBLISH AS A 2-COLUMN DISPLAY AD IN THE DELAWARE STATE NEWS AND THE NEWS JOURNAL ON THE FOLLOWING DATE: Sunday, April 11, 2021 30 Day

BILLING INFORMATION:

Bill Code: 40080403

NJ Contract: SD0113

State News Account Number: 440183

DNREC, DW, SWDS

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